

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of

DONOGHUE et al

Appl. No. ~~10/067,738~~ ^{10/006,738}

Filed: February 8, 2002

For: CASCADE SYSTEM FOR NETWORK UNITS

Atty. Ref.: 922-153; Confirmation No. 9291

Group: 1654 ✓

Examiner: M. Audet

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January 5, 2004 (Monday)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:



RESPONSE

In response to the Office Action dated 10/03/2003, the undersigned repeats the telephone request to the Examiner made on October 27, 2003 for issuance of a new corrected Office Action that makes sense with respect to the subject application. To date, no new action has been received nor has any other communication been received from the U.S. Patent and Trademark Office with respect to this obviously erroneously issued outstanding Office Action.

First of all, the present application includes 42 claims while the outstanding Office Action addresses only claims 1-30 -- of some other obviously different application.

For example, at page 2, the Examiner makes an objection to claims 11-20 referring to an alleged phrase in claim 20 of "reducing the caloric intake in an obese patient" and questions how this can be reduced by the administration of a compound, etc. However, the above-identified subject application is directed to a cascade system for network units in the general field of electronics and telecommunications and has nothing whatever to do with reducing the caloric intake in an obese patient. Understandably, claim 20 in the above-identified subject application has absolutely nothing to do with obese patients but, instead, is directed towards a further feature of the network unit according to claim 19 having at least two cascade ports for each of the first and second directions.

The remainder of the Office Action is similarly directed to some completely different application apparently in the chemical and/or biological arts which has nothing whatever to do with the above-identified subject application in the telecommunication arts.

A possible clue to the application actually addressed in the Office Action can be found with the attached initialed Form PTO-1449 which refers to a serial number 10/006,738. It will be noted that this different serial number does have some superficial similarity to the Serial No. 10/067,738 that is actually assigned to the above-identified subject application. Furthermore, the Form PTO-1449 lists as the applicant a Robert H. Lustig and there is an attorney docket number that is wholly dissimilar to that

which is associated with the present case in the undersigned attorney files (i.e., attorney reference 922-153).

Accordingly, as best the undersigned can understand, the outstanding Office Action was probably intended to relate to Serial No. 10/006,738. In any event, it clearly does not relate at all to the above-identified subject application 10/067,738.

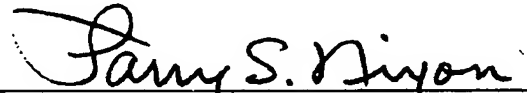
Accordingly, no further response is possible at this time to the outstanding Office Action and issuance of a new Office Action directed to the subject application is respectfully solicited.

For the record, the above also summarizes a telephone conference conducted between Examiner Audet and the undersigned on October 27, 2003.

Respectfully submitted,

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